Remarks

The amendments to the claims

Examiner will immediately see that the amendments are fully supported by the Specification as filed. The amendments to the dependent claims serve solely to bring the language of those

5 claims into conformity with the language of the amended independent claims they are dependent from.

Examiner's rebuttals of Applicants' traversal

In their traversal of Examiner's rejection of claim 11 as anticipated by Burns in his Office action

10 of 6/8/04, Applicants pointed out that

> The first issue here is whether the link file command can reasonably be characterized as an "augmented message" as that term is used in Applicants' Specification. As set forth above, augmented messages are messages that "are sent from component systems to the managing system during the transaction [and]
> 15 are *augmented* with information that indicates whether the component system sending the message is currently read-only with regard to the transaction." Here, the read-only flag is not something which augments, or is added to the link file command, but is simply part of the command.

> Next is the fact that the claim requires that the augmented message have been
> 20 augmented by the "other component", that is, the flow of state information is from the subordinate component to the managing component. According to col. 10, line 64-col. 11, line 5 of Burns, in Burns's system, the DBMS acts as the coordinator and the DLFM acts as the subordinate. The flow of state information in Burns is thus from the manager to the subordinate, or the reverse of what is set
> 25 forth in claim 11.

> For the claim's step of "using the retained relevant state to optimize the protocol", Examine refers Applicants to col. 9, line 65-col. 10, line 4. The cited location further explains the effect of the link file command on the file specified in the command, but discloses absolutely nothing about the use of "retained relevant
> 30 state to optimize the protocol". Further, as already pointed out, there is no disclosure whatever concerning optimization in Burns, as can be seen from the fact that a Lexis search on patno = (6,088,694) and optimiz! yielded no results.

35 Examiner rebutted the above points by stating that limitations from the Specification are not to be read into the claims and that claim 11 did not show the foregoing distinctions. Claim 11 as amended clearly does show the distinctions.

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Patentablility of claim 11 over the references

Beginning with the augmented message, the claim as amended sets forth that the messages "belong[] to a transaction" (line 2) and that the "other component [has] augmented the message by *adding* protocol state information to the message". This language can only be understood as

5   setting forth that something that was not originally part of the message is added to it, and as shown in FIG. 4, cohort status info 405 is indeed added to cohort message 403 sent from the cohort to the coordinator. In Burns, by contrast, a flag that is *already contained* in the link file command is set to indicate that the file is read only. Nothing is *added to* the link file command, as required by the claim. See Burns, col. 9, , lines 54-60: "The LinkFile command names the

10   file . . . and conditions a read-only flag *contained in the structure of the command* (emphasis added) to indicate whether or not the file is to be maintained in the read-only state".

Continuing with the flow of information, the claim as amended sets forth that the "first component" (line 1) is "a coordinator for the protocol" (line 5) and "receiv[es] an augmented

15   one of the messages from the other component" (line 6). The augmented message thus clearly moves from the other component to the coordinator. Burns sets forth at column 10, lines 66 and 67 that in his system, "the DBMS acts as the coordinator [of the two-phase commit protocol] and the DLFM acts as the subordinate". However, as set forth at col. 9, lines 51-65 and shown in FIG. 4, the LinkFile command is created by an API 82 in database management system 15

20   and sent to DLFM 100 (Fig. 6) in file server 17. The LinkFile command thus moves from the coordinator to the subordinate in the two-phase commit protocol and thus in the opposite direction from the movement of the message in Applicants' claim 11.

Finally, because, as set forth at line 1 of amended claim 11, the method steps of the claim are

25   practiced "in the first component" and the first component is "a coordinator for the protocol", the claim's steps of "receiving an augmented one of the messages ..." "retaining the state of the other component..." and "using the retained state to optimize the protocol" are necessarily performed by the coordinator for the protocol. However, as just set forth, Burns' link file command moves from the coordinator for the protocol (database management system 15) to file

30   server 17. Consequently, DBMS 15 cannot perform the steps set forth in the claim of "retaining the state of the other component" and "using the retained state to optimize the protocol.

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Applicants have shown that because the information in Burns flows from DBMS 15, which is the coordinator of the two-phase commit protocol, to file server 41, which is the subordinate, Burns does not disclose any of the method steps of Applicants' amended claim 11 and that Burns does not disclose an augmented message to which the other component has "added

5   protocol state information". Since that is so, the amendments to claim 11 overcome the rejection of the claim as anticipated by Burns.

Patentability of the other independent claims over the references

Claim 5

10   Claim 5 addresses the method of the invention from the point of view of the non-coordinating component of the distributed system. As amended, the claim makes clear that the first component is "a coordinator for the protocol" and that augmenting the message is done by adding protocol state information to the message. These changes parallel the changes in claim 11 and render the claim patentable over the references for the same reason that claim 11 is

15   patentable thereover.

Claims 9, 10, 22, 26, 30, and 31 use the terms "coordinator" and/or "cohort", and because they use those terms, it is clear that the direction of the flow of information in those claims is as set forth in claim 11 as amended, and the claims are consequently patentable over the references on

20   the basis of the direction of the flow of information.

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Conclusion

Applicants respectfully request that Examiner enter the amendment which accompanies this submission and continue his examination of the amended application. A check in the amount of $790.00 for the RCE accompanies this submission. Please charge any additional fees that may

5 be necessary or deposit any overpayment to Deposit Account Number 501315.

Respectfully submitted,

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